



LEGISLATIVE FISCAL OFFICE  
Fiscal Note

Fiscal Note On: **HB 758** HLS 10RS 1082

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 5, 2010	10:53 AM	<b>Author:</b> HUTTER
<b>Dept./Agy.:</b> Ethics		
<b>Subject:</b> Identifying Complainant		<b>Analyst:</b> Evelyn McWilliams

ETHICS

OR SEE FISC NOTE GF EX

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Requires the Board of Ethics to make available the name of a complainant under certain circumstances

Provides that when consideration of a matter initiated by a complaint is concluded, the accused shall be entitled to know the name of the complainant. Provides that upon receipt of a written request by the accused, the board shall provide the accused with the name of the complainant and that after the board provides the name of the complainant to the accused, the name of the complainant shall no longer be confidential. A matter shall be deemed concluded upon the earliest of the following: (1) The board considers the matter but fails to conduct an investigation or investigates the matter but fails to issue charges. (2) The board is precluded by law from taking action against the accused based on the complaint because the time period for doing so has expired. (3) The matter is settled by consent opinion. (4) A decision is rendered finding a violation or dismissing the matter. Proposed legislation does not apply to a complaint made pursuant to the whistle-blower protection provisions.

EXPENDITURES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure. The only cost associated with disclosing the name of the individual submitting a complaint is the postage to mail correspondence to the accused disclosing the name of the complainant. It is unknown how may such requests will be received; but it is anticipated that such postage cost would be inconsequential.

REVENUE EXPLANATION

Fines and penalties are assessed by the Board of Ethics or the Ethics Adjudication Board after a complaint is received, an investigation is conducted and a violation is found. It is unknown whether the proposed legislation will result in fewer complaints that result in violation of the ethics code. All fees and fines are deposited in the state general fund.

Senate

☐ 13.5.1 >= \$500,000 Annual Fiscal Cost

☐ 13.5.2 >= \$500,000 Annual Tax or Fee Change

Dual Referral Rules

House

☐ 6.8(F) >= \$500,000 Annual Fiscal Cost

☐ 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease

Robert E. Hosse

LFO Staff Director